

FRONTIER LAW CENTER

Robert L. Starr (183052)
robert@frontierlawcenter.com
Karo G. Karapetyan (318101)
karo@frontierlawcenter.com
Manny Starr (319778)
manny@frontierlawcenter.com
23901 Calabasas Road, Suite 2074
Calabasas, California 91302
Telephone: (818) 914-3433
Facsimile: (818) 914-3433

THE MARLBOROUGH LAW FIRM, P.C.

Christopher Marlborough (298219)
chris@marlboroughlawfirm.com
445 Broad Hollow Road, Suite 400
Melville, NY 11747
Telephone: (212) 991-8960
Facsimile: (212) 991-8952

POMERANTZ LLP

Jordan L. Lurie (130013)
jlurie@pomlaw.com
Ari Y. Bassar (272618)
abassar@pomlaw.com
1100 Glendon Avenue, 15th Floor
Los Angeles, CA 90024
Telephone: (310) 432-8492
Facsimile: (310) 861-8591

Attorneys for Plaintiff Gor Gevorkyan

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

Gor Gevorkyan on behalf of himself and all
others similarly situated,

Plaintiff,

vs.

Bitmain, Inc., Bitmain Technologies, Ltd.
and DOES 1 to 10,

Defendants.

Case Number: 3:18-cv-07004-JD

**JOINT STIPULATION AND
[PROPOSED] ORDER EXTENDING
TIME TO CONDUCT
JURISDICTIONAL DISCOVERY AND
CONTINUING JURISDICTIONAL
BRIEFING SCHEDULE**

1 Plaintiff Gor Gevorkian (“Plaintiff”) and Defendant Bitmain Technologies, Ltd.
2 (“Defendant”) (together with Plaintiff, the “Parties”), hereby stipulate and agree as follows:

3 **WHEREAS**, on December 19, 2019, the Court granted leave for Plaintiff to conduct
4 jurisdictional discovery on Defendant for a period of 120 days (ECF No. 44);

5 **WHEREAS**, on April 15, 2020, the Parties stipulated to allow Plaintiff additional time
6 to conduct jurisdictional discovery, including the taking of Luyao Liu’s deposition, in light of
7 the COVID 19 pandemic (ECF No. 51);

8 **WHEREAS**, on November 24, 2020, the Court issued an order extending the
9 jurisdictional discovery deadline to January 8, 2021, to allow Defendant to produce additional
10 documents, and to allow Plaintiff to take a written deposition of Luyao Liu (ECF No. 71);

11 **WHEREAS**, on November 24, 2020, the Court also instructed the Parties to file
12 simultaneous briefs on February 7, 2021 regarding the issue of jurisdiction over the Defendant
13 (ECF No. 71);

14 **WHEREAS**, the Parties are informed that Luyao Liu is no longer employed by
15 Defendant, and thus, can no longer be produced by Defendant for a deposition;

16 **WHEREAS**, any substitute deponent whom Defendant might produce would be located
17 in mainland China;

18 **WHEREAS**, the Parties are informed that a deposition of any kind of a resident of
19 mainland China cannot be taken, whether written or oral, and that as a result of tightened travel
20 restrictions currently in place in response to a new strain of COVID-19 that is even more
21 contagious, requiring a witness to travel outside of mainland China for a deposition would be
22 unduly burdensome and unreasonable due to current travel restrictions resulting from the
23 COVID-19 pandemic;

24 **WHEREAS**, the deposition of Defendant’s witness(es) cannot be taken until the travel
25 restrictions currently being imposed in response to the COVID-19 pandemic are lifted; and,
26
27
28

1 **WHEREAS**, the Parties believe that the relevant travel restrictions will likely be in
2 place for at least another 6 months.

3 **THEREFORE, THE PARTIES HAVE MET AND CONFERRED AND AGREED**
4 **THAT:**

- 5 1. The time for Plaintiff to depose a Bitmain witness should be extended until the
6 relevant travel restrictions are lifted such that Plaintiff is able to take the
7 aforementioned deposition;
8 2. Once the relevant travel restrictions are lifted, Defendant will produce a witness who
9 is knowledgeable regarding the facts set forth in the Declaration of Luyao Liu for a
10 deposition;
11 3. The Parties will work cooperatively to monitor the travel restrictions and conduct
12 the aforementioned deposition as soon as possible once travel restrictions permit the
13 deposition of a mainland Chinese resident without unreasonable burden;
14 4. Plaintiff's period in which to conduct jurisdictional discovery is otherwise closed,
15 except that Plaintiff shall be permitted to file a motion to compel further document
16 production related to the Court's November 24, 2020 order by no later than
17 February 15, 2021;
18 5. Defendant, by agreeing to this stipulation, does not concede that any motion to
19 compel contemplated to be filed by Plaintiff has merit or that Defendant has not
20 already made a complete production in full compliance with the Court's November
21 24, 2020 order; and
22 6. The current deadline to file simultaneous briefs addressing the issue of specific
23 jurisdiction over the Defendant should be vacated, and should be reset for 30 days
24 after the date that Plaintiff takes the aforementioned deposition.
25

26 **NOW, THEREFORE**, the undersigned Parties hereby stipulate and agree, subject to
27 Court approval, that:
28

1. The time for Plaintiff to depose a Bitmain witness should be extended until the relevant travel restrictions are lifted such that Plaintiff may take the aforementioned deposition;
2. Plaintiff shall have until July 22, 2021 to take the aforementioned deposition; however, if the relevant travel restrictions have not been lifted by this date, Plaintiff may seek additional leave of Court to further extend the deadline to conduct the deposition;
3. Plaintiff shall have until February 15, 2021 to file a motion to compel further document production related to the Court's November 24, 2020 order;
4. The period in which Plaintiff may take jurisdictional discovery is otherwise closed; and
5. The current briefing schedule is VACATED, and the Parties shall file simultaneous briefs addressing the issue of specific jurisdiction over the Defendant within 30 days after the date that Plaintiff takes the aforementioned deposition(s).

IT IS SO STIPULATED

Dated: January 25, 2021

/s/ Karo G. Karapetyan
Robert Starr (183052)
Karo G. Karapetyan (318101)
Manny Starr (319778)
FRONTIER LAW CENTER
23901 Calabasas Rd, Suite 2074
Calabasas, CA 91302
Telephone: (818) 914-3433
Facsimile: (818) 914-3433
E-Mail: robert@frontierlawcenter.com
karo@frontierlawcenter.com
manny@frontierlawcenter.com

Jordan L. Lurie (130013)
Ari Y. Basser (272618)
POMERANTZ LLP
1100 Glendon Avenue, 15th Floor
Los Angeles, CA 90024
Telephone: 310-405-7190

Facsimile: 917-463-1044

E-mail: jllurie@pomlaw.com
abasser@pomlaw.com

Christopher Marlborough (298219)
THE MARLBOROUGH LAW FIRM, P.C.
445 Broad Hollow Road, Suite 400
Melville, NY 11747
Telephone: (212) 991-8960
Facsimile: (212) 991-8952
E-Mail: chris@marlboroughlawfirm.com

Attorneys for Plaintiff

Dated: January 25, 2021

/s/ Jason A. Orr
Carlos M. Lazatin
William K. Pao
Jason A. Orr
O'MELVENY & MYERS LLP
400 South Hope Street
18th Floor
Los Angeles, CA 90071
Telephone: (213) 430-6000
Facsimile: (213) 430-6407
Email: clazatin@omm.com
Email: wpao@omm.com
Email: jorr@omm.com

Attorneys for Defendant
Bitmain Technologies, Ltd.

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: January 26, 2021



Hon. James Donato
UNITED STATES DISTRICT JUDGE